

1 HOUSE BILL NO. 892

2 INTRODUCED BY J. GILLETTE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE USE OF INSURANCE TAX REVENUE
5 FOR PROPERTY TAX RELIEF; TRANSFERRING A PORTION OF INSURANCE TAX REVENUE TO THE
6 STATE PROPERTY TAX ASSISTANCE ACCOUNT; PROVIDING AN APPROPRIATION; AMENDING
7 SECTION 33-2-708, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 33-2-708, MCA, is amended to read:

12 **"33-2-708. Fees and licenses.** (1) (a) Except as provided in subsection (5), the commissioner shall
13 collect a fee of \$1,900 from each insurer applying for or annually renewing a certificate of authority to conduct
14 the business of insurance in Montana.

15 (b) The commissioner shall collect certain additional fees as follows:

16 (i) nonresident insurance producer's license:

17 (A) application for original license, including issuance of license, if issued, \$100;

18 (B) biennial renewal of license, \$50;

19 (C) lapsed license reinstatement fee, \$100;

20 (ii) resident insurance producer's license lapsed license reinstatement fee, \$100;

21 (iii) surplus lines insurance producer's license:

22 (A) application for original license and for issuance of license, if issued, \$50;

23 (B) biennial renewal of license, \$100;

24 (C) lapsed license reinstatement fee, \$200;

25 (iv) insurance adjuster's license:

26 (A) application for original license, including issuance of license, if issued, \$50;

27 (B) biennial renewal of license, \$100;

28 (C) lapsed license reinstatement fee, \$200;

- 1 (v) insurance consultant's license:
- 2 (A) application for original license, including issuance of license, if issued, \$50;
- 3 (B) biennial renewal of license, \$100;
- 4 (C) lapsed license reinstatement fee, \$200;
- 5 (vi) viatical settlement broker's license:
- 6 (A) application for original license, including issuance of license, if issued, \$50;
- 7 (B) biennial renewal of license, \$100;
- 8 (C) lapsed license reinstatement fee, \$200;
- 9 (vii) resident and nonresident rental car entity producer's license:
- 10 (A) application for original license, including issuance of license, if issued, \$100;
- 11 (B) quarterly filing fee, \$25;
- 12 (viii) an original notification fee for a life insurance producer acting as a viatical settlement broker, in
- 13 accordance with 33-20-1303(2)(b), \$50;
- 14 (ix) navigator certification:
- 15 (A) application for original certification, including issuance of certificate if issued, \$100;
- 16 (B) biennial renewal of certification, \$50;
- 17 (C) lapsed certification reinstatement fee, \$100;
- 18 (x) 50 cents for each page for copies of documents on file in the commissioner's office.
- 19 (c) The commissioner may adopt rules to determine the date by which a nonresident insurance
- 20 producer, a surplus lines insurance producer, an insurance adjuster, an insurance public adjuster, or an
- 21 insurance consultant is required to pay the fee for the biennial renewal of a license.
- 22 (2) (a) The commissioner shall charge a fee of \$75 for each course or program submitted for
- 23 review as required by 33-17-1204 and 33-17-1205, but may not charge more than \$1,500 to a sponsoring
- 24 organization submitting courses or programs for review in any biennium.
- 25 (b) Insurers and associations composed of members of the insurance industry are exempt from the
- 26 charge in subsection (2)(a).
- 27 (3) (a) Except as provided in ~~subsection~~ subsections (3)(b) and (3)(c), the commissioner shall
- 28 promptly deposit with the state treasurer to the credit of the general fund all fines and penalties and those

1 amounts received pursuant to 33-2-311, 33-2-705, 33-28-201, and 50-3-109.

2 (b) The commissioner shall deposit 33% of the money collected under 33-2-705 in the special
3 revenue account provided for in 53-4-1115.

4 (c) At the end of each fiscal year, the commissioner shall transfer \$10 million of the money
5 collected under 33-2-705 to the state property tax assistance account provided for in [section 2 of Senate Bill
6 No. 90].

7 (e)(d) All other fees collected by the commissioner pursuant to Title 33 and the rules adopted under
8 Title 33 must be deposited in the state special revenue fund to the credit of the state auditor's office.

9 (4) All fees are considered fully earned when received. In the event of overpayment, only those
10 amounts in excess of \$10 will be refunded.

11 (5) The commissioner shall collect a licensing fee of \$500 for casualty insurance companies
12 issuing policies of legal professional liability insurance pursuant to 33-1-206."

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14 NEW SECTION. Section 2. Appropriation. There is appropriated \$50,000 from the general fund to
15 the department of revenue for the biennium beginning July 1, 2025, to implement the provisions of Senate Bill
16 No. 90.

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18 COORDINATION SECTION. Section 3. Coordination instruction. If Senate Bill No. 90 is not
19 passed and approved, then [this act] is void.

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21 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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